



R. Kent
10/31/02
#10
[11443/45]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael P. WHITMAN et al.
Serial No. : 09/836,781
Filed : April 17, 2001
For : ELECTRO-MECHANICAL SURGICAL DEVICE
Art Unit : 3721
Examiner : Louis B. Tran

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231.

Dated: October 21, 2002

Signature: 

Clifford A. Ulrich (Reg. No. 42,194)

RESPONSE TO RESTRICTION REQUIREMENT

SIR:

In the Office Action mailed on July 19, 2002, the Examiner required restriction to one of the following inventions:

- I - The species shown in Figure 9a; and
- II - The species shown in Figures 9b and 9c.

The Examiner has required Applicants to elect a single species for prosecution on the merits.

Applicants provisionally elect species II, i.e., the species of Figures 9b and 9c, for prosecution on the merits. It is submitted that the following claims correspond to Figures 9b and 9c: claims 1 to 44. The Office Action states that claim 1 is generic. Applicants respectfully submit that claims 1 to 10, 12 to 21 and 23 to 31 are generic.

Applicants respectfully submit that all pending claims are in condition for allowance. Prompt consideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

KENYON & KENYON

By: 

Clifford A. Ulrich (Reg. No. 42,194)

Dated: October 21, 2002

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GP 3721

#9

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TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT

SIR:

Transmitted herewith for filing in the above-identified application is a Response To Restriction Requirement.

Applicants request a two month extension of time to respond to the Office Action mailed July 19, 2002, resetting the response date to October 21, 2002 (since October 19, 2002 is a Saturday). The small-entity extension fee of \$200.00 and any additional fees should be charged to KENYON & KENYON, Deposit Account No. 11-0600. A duplicate copy of this communication is enclosed for charging purposes.

10/29/2002 ADSMAN1 00000072 110600 09836781

01 FC:2252 200.00 CH

Respectfully submitted,

KENYON & KENYON

Dated: October 21, 2002

By: 

Clifford A. Ulrich (Reg. No. 42,194)

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